

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

KEVIN WASHINGTON, an individual
and minority owner of CryptoWatt
Investment Partners, LLC, the sole
member of CryptoWatt Mining, LLC,

vs.

Plaintiff,

MATTHEW BRENT GOETTSCHKE,
an individual and majority owner of
CryptoWatt Investment Partners, LLC,
the sole member of CryptoWatt
Mining, LLC,

Defendant.

Cause No. CV 20-02-BU-BMM
Cause No. CV 20-03-BU-BMM

ORDER

On November 18, 2021, Plaintiff Kevin Washington and CryptoWatt Management, LLC filed a Motion for Order Allowing Production and Use of a Confidential Settlement Agreement and Related Documents in AAA Arbitration (Doc. 93). Neither Rick Tabish nor FX Solutions, Inc. object to the motion. Defendant Matthew B. Goettsche, Hard Folk Holdings, Inc., CryptoWatt Investment Partners, LLC, and CryptoWatt Mining, LLC do object. Plaintiff Washington and CryptoWatt Management, LLC filed a Brief in Support of their motion (Doc. 94),

which included several exhibits. The Confidential Settlement Agreement and related documents were lodged under seal in accordance with Local Rule 5.2.

Despite their noted objection, Defendant Matthew B. Goettsche, Hard Folk Holdings, Inc., CryptoWatt Investment Partners, LLC, and CryptoWatt Mining, LLC, have not as of this date filed a response. Pursuant to Local Rule 7.1(d)(1)(B)(ii), their response was due within 14 days after the motion at issue was filed, or December 2, 2021. “[F]ailure to file a response brief may be deemed an admission that the motion is well-taken.” *Id.*

The Court deems the motion well-taken for failure of the objecting parties to file a timely response or seek and obtain an enlargement of time to do so. Accordingly,

IT IS ORDERED that the Motion (Doc. 93) is hereby GRANTED. Plaintiff Washington and his companies, Atlas Power, LLC and Atlas Power Holdings, LLC, may disclose the Confidential Settlement Agreement and related documents lodged under seal herein in defense of the claim asserted against the Atlas entities in AAA Case No. 01-21-0002-5535, *Evan Birenbaum v. CryptoWatt Management, LLC, et al.* Any disclosure, use, or dissemination of the Settlement Agreement and related documents shall be subject to the terms and restrictions contained in the Stipulated Confidentiality Agreement entered in the AAA case and filed herein at Doc. 94-8.

DATED this _____ day of December, 2021.

United States Magistrate Judge